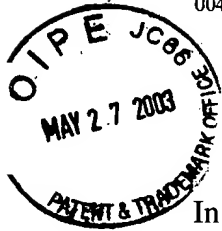


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)

Boyd et al.)

Serial No. 09/869,755)

Filed November 15, 2001)

TRUNCATED OPEN)

INTERVERTEBRAL SPACER)

Before the Examiner

Not yet known

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INFORMATION DISCLOSURE STATEMENT
SUBMITTED UNDER 37 C.F.R. §1.97(c)(1)

Mail Stop DD
 Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure in accordance with 37 CFR §1.56, Applicant wishes to bring to the attention of the Examiner the patents, publications and/or other information listed on the attached PTO Form 1449 (modified). These references were previously cited in the International Search Report for the corresponding PCT application. Consequently, copies of these references are not included with this Statement. Should the Examiner desire copies, the undersigned attorney would be more than happy to provide them upon request.

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

This Statement is being submitted more than three (3) months after the filing date of the application but before receipt of the first Office Action. It is believed that no fee is required for

consideration of the submitted items. Should any fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as **first class mail** in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

May 21, 2003

(Date of Deposit)

James B. Myers, Jr.

Name of Registered Representative

James B. Myers Jr.

Signature

May 21, 2003

Date of Signature

Respectfully submitted,

By: James B. Myers Jr.

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